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October 1, 2018

William Gibney, Esq.
The Legal Aid Society
199 Water Street
New York, N.Y. 10038

Re: Grubbs v. Safir, 92 Civ. 2132 – Pre-Arrest Medical Screening

Dear Mr. Gibney:

This letter (“the 2018 Agreement”) will memorialize a further agreement of the parties regarding medical screening in the Pre-Arrest Screening Unit (“PASU”) at the Manhattan Criminal Courthouse and expand it to include medical screening in the Brooklyn, Bronx, and Queens Criminal Courthouses.

This action was resolved in 1999 by a Stipulation of Settlement (“the *Grubbs* Stipulation”), a copy of which is annexed hereto, together with the District Court’s Order approving the settlement (Attachment 1). By a letter agreement dated May 26, 2016 and so ordered by the Court on June 7, 2016 (ECF Doc. 95) (“the 2016 Agreement”) and reflecting a prior letter agreement dated March 24, 2015 and so ordered March 31, 2015 (ECF Doc. 64) (“the 2015 Agreement”), the parties agreed to suspend in part the operation and effectiveness of the *Grubbs* Stipulation in connection with the establishment of an enhanced screening protocol in the pre-arrest part in the Manhattan Criminal Courthouse (“the Manhattan Protocol”). Copies of the 2015 and 2016 Agreements, without attachments, are annexed hereto (Attachment 2).

The Manhattan Protocol affects the staffing model for medical screening in the Manhattan PASU, employing a combination of correctional health staff, a patient care associate (“PCA”) and a registered nurse (“RN”) or nurse practitioner (“NP”). Inasmuch as the *Grubbs* Stipulation specifies that pre-arrest screening is to be staffed by Fire Department Emergency Medical Technicians (“EMTs”), the parties jointly sought and obtained the Court’s approval of the 2015 and 2016 Agreements.

The Manhattan Protocol presently covers all shifts at the Manhattan PASU, seven days per week. The City has now determined to expand the new staffing model to all shifts in the Brooklyn, Bronx, and Queens PASUs.

The parties therefore now agree as follows:

1. The specification regarding EMTs in the *Grubbs* Stipulation shall continue to be suspended with respect to the Manhattan PASU, and;
2. The specification regarding EMTs in the *Grubbs* Stipulation shall be suspended with respect to the Brooklyn, Bronx, and Queens PASUs, effective from the date the new protocol commences, and;
3. In order to continue to provide for flexibility in staffing, the City may staff the Manhattan, Brooklyn, Bronx, and Queens PASUs with PCAs, NPs, RNs, or other similar medical staff.

Dated: New York, New York
October 1, 2018

<p>THE LEGAL AID SOCIETY 199 Water Street New York, NY 10038 (212) 577-3419</p> <p>By: <u>William Gibney</u> William Gibney</p>	<p>ZACHARY W. CARTER Corporation Counsel of the City of New York 100 Church Street New York, NY 10007 (212) 356-2690</p> <p>By: <u>June R. Buch</u> June R. Buch Senior Counsel</p>
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SO ORDERED:

UNITED STATES DISTRICT JUDGE